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B I L L

To amend an Act, made in the Forty-second Year of His present MAJESTY, for Regulating the Trial of Controverted Elections or Returns of Members to serve in the United Parliament, for *Ireland*.

Note.—The Figures in the Margin denote the Number of the Pages in the written Copy.

WHEREAS an Act was made in the Forty-second Year of the Reign of His present MAJESTY, intituled, “An Act for regulating the Trial of Controverted Elections or Returns of Members to serve in the United Parliament, for *Ireland*,” and it is expedient that further Regulations should be made for carrying the said Act into execution;

Preamble.
42 Geo. III.
c. 100.

Be it therefore Enacted by the KING's Most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after

when any Person shall be appointed to be Clerk to any Commissioners under the said recited Act, for the Purpose of examining any Matters or Things referred to them by any Select Committee of the House of Commons, in Manner directed by the said recited Act, such Person so appointed to be Clerk shall be sworn by the Chairman of the said Commissioners, faithfully and truly to take down in writing the Evidence adduced before the said Commissioners, and from day to day, as Occasion may require, to transcribe, or cause the same to be transcribed, for the use of the said Commissioners; and that in taking down the said Evidence in writing, he will give the exact Words in which such Evidence shall be delivered in as accurate a Manner as the same can possibly be done, and will in all Things conduct himself, as such Clerk, without Favour, Affection, or Malice, according to the best of his Skill and Judgment.

Clerks to Commissioners, in taking Evidence under recited Act, shall be sworn faithfully.

And be it further Enacted, That no Person shall be chosen or appointed to be Commissioner under the said recited Act, for the Purpose of examining any Matters or Things referred to them by any Select Committee of the

No Person who has or claims a Right of voting shall be a Commissioner.

House

done-to take
Evidence, nor
Clerk to such
Commission-
ers.

No Person
shall be ap-
pointed Clerk,
without Con-
sent, to the
Petition.

Lists of Votes
and Voters ob-
jected to shall
state the spe-
cific Objec-
tions to each;
and if Objec-
tions are stated
in support of
which no Evi-
dence is pro-
duced, they
shall be deem-
ed frivolous
and vexatious,
and the Party
objecting shall
pay Costs.

House of Commons, for the Trial of any Petition under the Provisions of the said recited Act, or to be Clerk to such Commissioners, who shall have voted at the Election in question, or who shall have or claim any Right or Title to vote for the County, City, Borough, Town, or Place, respecting which the Election or Return complained of, or other subject Matter of such Petition, arose or happened; and that no Person shall be appointed to be a Clerk to any such Commissioners, without the Consent and Approbation in writing, of the Petitioners and Sitting Members by and against whom any such Petition shall be preferred.

And be it further Enacted, That the Parties appearing before any Select Committee of the House of Commons, under the said recited Act, and delivering any Lists of Votes, or of the Names of Voters, to which either of the said Parties purposed and intend to object, shall in such Lists specify and particularize against every Vote, and against the Name of every Voter contained in such List, the specific and particular ground or grounds of Objection upon which such Party purposes and intends to object against such Vote or Voter respectively; and that no Evidence shall be adduced before such Select Committee, or before any Commissioners to be appointed under the said recited Act, against the Validity of any Vote or Voter upon any ground of Objection to such Vote or Voter other than one of the grounds so specified and particularized; and that if any ground of Objection shall be stated against any Vote or Voter, and no Evidence shall be produced before such Select Committee, or before such Commissioners, to substantiate the Objection against such Vote or Voters, upon such ground of Objection so stated, such Proceeding shall be deemed frivolous and vexatious, and the Select Committee appointed for the Trial of the Petition whereon such Proceeding shall arise, shall report the same to the House of Commons, together with their Opinion on the other Matters relating to the said Petition; and the Party or Parties against the Votes or Voters for whom any Objections shall be made, on which no Evidence shall be produced, shall be entitled to recover from the Party or Parties by or on whose Behalf any such Objections were made, the full Costs and Expences incurred by reason of such frivolous and vexatious Objections; which Costs and Expences shall be ascertained and recovered in the same Manner and Form as are now provided by Law for the Recovery of Costs and Expences in Cases of frivolous or vexatious Petitions, or frivolous or vexatious Opposition to any Petition.

Select Com-
missioners,
after Proceed-
ings before
Commission-
ers in Ireland,
may send for
Papers, &c.
produced be-
fore such
Commission-
ers, without
affording the
Commission-
ers, but
shall not enter
into new
Pages there-
on.

And be it further Enacted, That when any Select Committee of the House of Commons shall re-assemble to try and determine the Merits of any Petition under the said recited Act, after any Proceedings shall have been had by or before any Commissioners appointed under the said recited Act for examining any Matters which shall have been referred to them by such Select Committee, it shall and may be lawful for such Select Committee to send for all or any such Books, Papers, and Records, or other written Documents, as were produced in Evidence before such Commissioners, in like Manner as such Select Committee might have done if no such Proceedings had been had by or before such Commissioners, and without directing any Warrant to the Chairman of the said Commissioners, and without ordering or directing the said Commissioners to re-assemble: Provided always, that such Select Committee shall, in all other Respects, proceed to try the Merits of such Petition, in manner directed by the said recited Act, and shall determine on all such Matters and Things as shall have been tried and examined by the said Commissioners from the written Minutes of the Evidence and Proceedings before the said Commissioners, and from the Inspection of such Books, Papers, Records, and Documents, so far only as may relate to such Evidence and Proceedings; but such Se-
lect

10th Committee shall not call for, or receive in Evidence, any Extracts from such Books, Papers, Records, or Documents, other than such as were received and produced before such Commissioners, nor to any Point or Matter not in Issue before such Commissioners.

And be it further Enacted, That the Clerk to be appointed by any Commissioners for the Purpose of examining Matters and Things referred to them by any Select Committee, under the said recited Act, shall from Time to Time make or cause to be made true Copies of the Minutes of all Proceedings before such Commissioners, and of all such Evidence as shall be given or produced before them, and shall give one such Copy to each of the Parties interested, or his or their Agent, or to such of them as shall demand the same, on being paid for each Sheet of the said Copy, consisting of

Clerk to Commissioners to be paid per Sheet only for Copies of Minutes and Evidence.

Words, the Sum of and no more; and that for Copies of the said Minutes and Evidence to be transmitted by such Clerk of the Commissioners to the Clerk of the Crown in *Ireland*, and to The Speaker of the House of Commons, in manner directed by the said recited Act, such Clerk shall receive from the Lords Commissioners of the Treasury in *Dublin*, such Sum as the said Commissioners, whose Clerk he was, shall think fit, not exceeding in any Case the Sum of

for every Sheet consisting of Words which such Copy shall contain, and no more; any thing in the said recited Act to the contrary notwithstanding.

And be it further Enacted, That all the Clauses, Powers, Penalties, and Provisions in the said recited Act mentioned and contained, and not hereby altered or repealed, shall be applied in execution of this Act, as fully and effectually, to all Intents and Purposes, as if the said Clauses, Powers, Penalties, and Provisions, were expressly repeated and re-enacted in this Act.

Powers of former Act extended to this Act.

(Ireland.)

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B I L L

To amend an Act, made in the Forty-second Year of His present Majesty, for Regulating the Trial of Controverted Elections or Returns of Members elective in the United Parliament, for *Ireland*.

Ordered to be printed 14th January 1807.
